

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ALPHONSO SIMMONS,

Plaintiff,

- against -

FRANK ROBINSON, et. al.,

Defendants.
-----X

**ORDER GRANTING LEAVE
FOR THE TAKING OF THE
DEPOSITION OF THE
INCARCERATED PLAINTIFF**

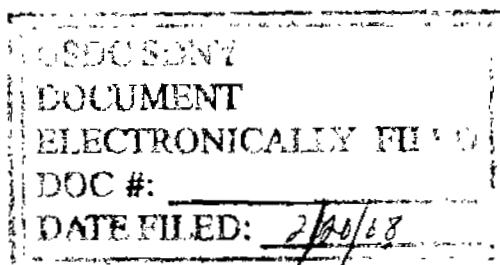
07 CV. 7383 (DAB) (DFE)

Pro Se - *This is not an ECF case*

Upon the annexed affirmation of Wesley E. Bauman, executed on February 12, 2008 and the notice of deposition attached thereto, it is hereby:

ORDERED, that, pursuant to Federal Rule of Civil Procedure 30(a), and upon the notice given by defendants to plaintiff, defendants may take the deposition of plaintiff/inmate Alphonso Simmons at the prison where he is confined or at such other correctional facility as may be convenient.

Dated: New York, New York
February 19, 2008



Douglas F. Eaton
Hon. Douglas F. Eaton
United States Magistrate Judge

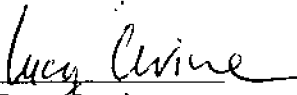
AFFIRMATION

LUCY LEVINE hereby affirms as follows:

That she is more than 18 years old and employed as a Legal Assistant in the office of ANDREW M. CUOMO, the Attorney General of the State of New York, Attorney for the defendants herein. On the 14th day of February, 2008, she caused the annexed Proposed Order, Notice to take Deposition and Affirmation of Wesley E. Bauman to be served in a sealed, properly addressed envelope, with postage prepaid, by the United States Postal Service on the following person at his present address:

ALPHONSO SIMMONS, pro se
#06-A-5276
Attica Correctional Facility
Box 149/Exchange Street
Attica, New York 14011-0149

I hereby affirm under penalty of perjury that the foregoing is true and correct.


Lucy Levine